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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,425	01/30/2004	Akira Murakata	248383US2	4540
22850 7590 03/01/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER WASHINGTON, JAMARES	
			ART UNIT	PAPER NUMBER
			2609	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/767,425

Applicant(s)

MURAKATA, AKIRA

Examiner

Jamares Washington

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :January 30, 2004, April 27, 2005.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claim 28 is objected to because of the following informalities: "...one of a scanner **and** a printer" should read "...one of a scanner **or** a printer". Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Annex IV, reads as follows:

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs, which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data.

When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

In contrast, a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claims 30 and 31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claims 30 and 31 define a computer program embodying functional descriptive material. However, the claim does not define a computer-readable medium or memory and is thus non-statutory for that reason (i.e., "When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized" – Guidelines Annex

IV). That is, the scope of the presently claimed computer program can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner suggests amending the claim to embody the program on a "computer-readable medium" or equivalent in order to make the claim statutory. Any amendment to the claim should be commensurate with its corresponding disclosure.

The USPTO "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" (Official Gazette notice of 22 November 2005), Section IV.C, reads as follows:

While abstract ideas, natural phenomena, and laws of nature are not eligible for patenting, methods and products employing abstract ideas, natural phenomena, and laws of nature to perform a real-world function may well be. In evaluating whether a claim meets the requirements of section 101, the claim must be considered as a whole to determine whether it is for a particular application of an abstract idea, natural phenomenon, or law of nature, rather than for the abstract idea, natural phenomenon, or law of nature itself.

For claims including such excluded subject matter to be eligible, the claim must be for a practical application of the abstract idea, law of nature, or natural phenomenon. *Diehr*, 450 U.S. at 187, 209 USPQ at 8 ("application of a law of nature or mathematical formula to a known structure or process may well be deserving of patent protection."); *Benson*, 409 U.S. at 71, 175 USPQ at 676 (rejecting formula claim because it "has no substantial practical application").

To satisfy section 101 requirements, the claim must be for a practical application of the Sec. 101 judicial exception, which can be identified in various ways:

The claimed invention "transforms" an article or physical object to a different state or thing.

The claimed invention otherwise produces a useful, concrete and tangible result, based on the factors discussed below.

Claims 32 and 33 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter as follows. Claims 32 and 33 recite functional descriptive material on a computer readable medium. However, the program itself merely manipulates data or an abstract idea, or merely solves a mathematical problem without a limitation to a practical application. A practical application exists if the result of the claimed invention is “useful, concrete and tangible” (with the emphasis on “result”)(Guidelines, section IV.C.2.b). A “useful” result is one that satisfies the utility requirement of section 101, a “concrete” result is one that is “repeatable” or “predictable”, and a “tangible” result is one that is “real”, or “real-world”, as opposed to “abstract” (Guidelines, section IV.C.2.b)). Claims 32 and 33 merely manipulate data without ever producing a useful, concrete and tangible result.

Regarding claim 32, the “computer-readable recording medium simply “stores” a computer program for realizing a method of controlling image processing on a computer. The program is simply stored and no mention is made of execution of the program by a processor to carry out the method described in the latter section of claim 32. Therefore, the result of the claimed invention is simply a stored program, which is capable of carrying out the method described in claim 32 when executed.

Regarding claim 33, the computer-readable recording medium stores a computer program for realizing functions of each unit of an apparatus for controlling image processing on a

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computer. The stored program, once again, is simply functional descriptive material residing on a computer-readable medium with no practical application as discussed above.

In order for the claimed product to produce a “useful, concrete and tangible” result, recitation of one or more of the following elements is suggested:

- The manipulation of data that represents a physical object or activity transformed from outside the computer.
- A physical transformation outside the computer, for example in the form of pre or post computer processing activity.
- A direct recitation of a practical application;

Applicant is also advised to provide a written explanation of how and why the claimed invention (either as currently recited or as amended) produces a useful, concrete and tangible result.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-19, 21-27, and 30-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Toshimi Yamamura (US 6981134 B2).

Regarding claim 1, Yamamura discloses an information processing control method (“...the invention provides a processor processing method suitable for a processor system, wherein the processor system comprises...” at column 2 line 59) that realizes a function of information processing by downloading a program and data to an information processing unit based on an information from an operating unit (“The programs and the parameters corresponding to each process request from the “system processor external” (host computer) are transferred from the ROM to the memory unit of the DSP...” at column 3 line 1) comprising: Judging validity of the information from the operating unit (“...determining required parameters and program groups to be transferred...by referring to the table according to the process requests” at column 3 line 27); Determining whether to download the program and the data based on the validity judged (“...determining whether each coming process request from the system processor external is consistent with past process requests...” at column 3 line 43); and

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making a request, upon determining to download the program and the data, for downloading the program and the data to the information processing unit (“...receiving the process requests by the CPU at any time, and then transferring the programs and the parameters corresponding to the respective process requests from the ROM to the memory unit of the DSP...” at column 3 line 13. The request has been made by the “system processor external” and forwarded by the CPU, along with the parameters and programs, to the DSP).

Regarding claim 2, Yamamura discloses the information processing control method as rejected in claim 1 above, wherein the program and the data requested are downloaded to a digital signal processor (“...transferring the programs and the parameters corresponding to the respective process requests from the ROM to the memory unit of the DSP...” at column 3 line 14).

Regarding claim 3, Yamamura discloses the information processing control method as rejected in claim 2 above, wherein the digital signal processor has a plurality of functions, and each of the functions works as a discrete controlling component (“...a DSP to perform plural data processes with respect to data, and to execute functions for “different” applications” at column 5 line 22).

Regarding claim 4, Yamamura discloses an information processing control method as rejected in claim 1 above as an image processing control method (“...when the DSP is an image processing IC, the job type can have functional requests...” at column 12 line 47).

Regarding claim 5, Yamamura discloses the image processing control method as rejected in claim 4 above further comprising translation of the information from the operating unit into information that is recognized by the image processing unit (“...when a process request is

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acknowledged, the CPU 10 refers to a process converting table in a process request converting device, and then determines the program combination and the parameters...” at column 12 line 32).

Regarding claim 6, Yamamura discloses the image processing control method of claim 5 comprising converting the information from the operating unit into an internal variable based on a request for controlling image processing from a main control software (“...conversions related to the process request are performed by the operation-to-program converting device 233...” at column 18 line 4); determining, based on a status of previously acquired resource and current process information, a resource that has to be acquired to make a response to a request for the resource (“The control management 232 transmits the generated resource X to the resource acquisition device 236 to perform a resource acquisition request” column 18 line 21); determining whether the process is executable with the resource requested (“The resource acquisition device 236 compares it to the past resource group that device 236 has downloaded to determine whether it is possible to get the resource X...” at column 18 line 23); converting the internal variable, upon determining that the process is executable with the resource requested, into detailed information required for downloading the program and the data; and downloading the detailed information to the image processing unit based on a request for executing download (“If the acquisition result is OK, the control management 232 asks the download device 237 to perform a download request. The download device 237 then downloads a source code...” at column 18 line 27).

Regarding claim 7, Yamamura discloses an apparatus for controlling image processing (“The invention further provides a processor system...” at column 4 line 66) comprising: an image processing unit that realizes a function of image processing by downloading a program and data (“The DSP further comprises a data input device for inputting the data; a RAM for storing the programs and parameters transferred from the CPU; a processing device...” at column 5 line 14); a first converting unit that converts information from an operating unit into information for downloading the program and the data to the image processing unit (“...The resource generating/setting device 235 then generates the resources (programs to be downloaded and their related information or control messages...” at column 18 line 16); and a downloading unit that downloads the program and the data to the image processing unit based on the information converted by the first converting unit (“The download device 237 then downloads a source code to the DSP” at column 18 line 29).

Regarding claim 8, Yamamura discloses an apparatus for controlling image processing as rejected in claim 7 above wherein the downloading unit includes a translating unit that translates the information from the operating unit into information recognized by the first converting unit (“...conversions related to the process request are performed by the operation-to-program converting device 233...” at column 18 line 4); and a download request unit that makes a request for downloading the program and the data to the image processing unit based on the information translated (“...the control management 232 asks the download device 237 to perform a download request...” at column 18 line 28).

Regarding claim 9, Yamamura discloses an apparatus for controlling image processing as rejected in claim 8 above wherein the downloading unit includes a second converting unit that

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converts information translated by the translating unit into detailed information for downloading the program and the data to the image processing unit (“The download device 237 then downloads a source code (e.g. detailed information) to the DSP 238” at column 18 line 29).

Regarding claim 10, Yamamura discloses the apparatus as rejected in claim 8 above, further comprising a common interface that is determined for each image processing (“The process request 231 is first transmitted to the control management 232” at column 17 line 66), wherein the translating unit transmits the information translated to the download request unit via the common interface (Fig. 23).

Regarding claim 11, Yamamura discloses the apparatus as rejected in claim 8 above, wherein the translating unit performs a central management of the information from the operating unit (“The operation-to-program converting device 233 interprets the contents of the process request 231 and looks up the program contents to be used from the process converting table 234” at column 18 line 6).

Regarding claim 12, Yamamura discloses the apparatus as rejected in claim 9 above, wherein the translating unit performs a central management of the information from the operating unit (“The operation-to-program converting device 233 interprets the contents of the process request 231 and looks up the program contents to be used from the process converting table 234” at column 18 line 6).

Regarding claim 13, Yamamura discloses the apparatus as rejected in claim 8 above, wherein the translating unit includes a translation table composed of request levels from the operating unit and corresponding combination of the program and the data to be downloaded (Fig. 23, numeral 234 “Process converting table”); and the translating unit translates the

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information from the operating unit based on the translation table (“After receiving the commands from the operation-to-program converting device 233, the process converting table 234 returns the program contents...” at column 18 line 10).

Regarding claim 14, Yamamura discloses the apparatus as rejected in claim 8 above, wherein the download request unit includes an information table for managing the information translated by the translating unit (Fig. 23 “Past Resource Group vs. Resource X” comparison); and the download request unit determines the program and the data to be downloaded to the image processing unit based on the information table (“If the acquisition result is OK, the control management 232 asks...” at column 18 line 27).

Regarding claim 15, Yamamura discloses the apparatus as rejected in claim 9 above, wherein the download request unit includes an information table for managing the detailed information (Fig. 23 “Past Resource Group vs. Resource X” comparison); and the download request unit determines the program and the data to be downloaded to the image processing unit based on the information table (“If the acquisition result is OK, the control management 232 asks...” at column 18 line 27).

Regarding claim 16, Yamamura discloses the apparatus as rejected in claim 9 above, further comprising a common interface that is determined for each image processing (“The process request 231 is first transmitted to the control management 232” at column 17 line 66), wherein the translating unit transmits the information translated to the download request unit via the common interface (Fig. 23).

Regarding claim 17, Yamamura discloses the apparatus as rejected in claim 9 above, wherein the second converting unit includes a conversion table composed of request levels from

the operating unit and corresponding combination of the program and the data to be downloaded (“Fig. 23 “Past Resource Group vs. Resource X” comparison”); and the second converting unit determines the detailed information based on the conversion table (“If the acquisition result is OK, the control management 232 asks the download device 237 to perform a download request...” at column 18 line 27).

Regarding claim 18, Yamamura discloses the apparatus as rejected in claim 9 above, wherein the translating unit, the second converting unit, and the download request unit are managed for each image processing (“As the process request A-1 is finished, the memory is released. Then, the programs corresponding to the process request B-1 are acquired (downloaded)...” at column 17 line 29). Since the eighth embodiment describes the processor system or the processing method for the processor system in a middleware manner, the portions repeated in the first to the seventh embodiments are included.

Regarding claim 19, Yamamura discloses an apparatus for controlling image processing comprising:

an image processing unit as rejected in claim 9 above further comprising a request managing unit that manages a request for single execution (Fig. 23 numeral 232 “control manage”); and a resource managing unit that manages a resource to respond to the request for the single execution and a service of the image processing unit that has the resource (Fig. 23 numeral 236, resource acquisition device).

Regarding claim 21, Yamamura discloses the apparatus as rejected in claim 19 above, wherein the request for the single execution is made from an instruction from the operating unit

via a control unit that is provided at a preceding stage of the apparatus (“...acquiring the data from a plurality of input interfaces respectively...” at column 3 line 16).

Regarding claim 22, Yamamura discloses the apparatus as rejected in claim 19 above, wherein the resource managing unit determines whether to perform an image processing control based on a status of current resources reserved (“The resource acquisition device 236 compares the past resource group owned by the resource acquisition device 236 before and the resource X passed from the control management 232, to examine whether the contents are the same. When the resource X can be used by reusing the resource 3, the control management 232 first asks the resource acquisition device...” at column 18 line 38).

Regarding claim 23, Yamamura discloses the apparatus as rejected in claim 19 above wherein the resource managing unit determines a processing capability of the image processing unit that has the resource, and switches over the service to be provided according to the processing capability determined (“When the resource X can be used by reusing the resource 3, the control management 232 abandons the resource X, and the resource 3 is downloaded as an object of the process request” at column 18 line 42).

Regarding claim 24, Yamamura discloses the apparatus as rejected in claim 19 above wherein the second converting unit transmits the detailed information with a request for a download (“If the acquisition result is OK, the control management 232 asks the download device 237 to perform a download request...” at column 18 line 27), and the downloading unit downloads the detailed information to the image processing unit based on the request for the download (“The download device 237 then downloads a source code to the DSP 238” at column 18 line 29).

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Regarding claim 25, Yamamura discloses the apparatus as rejected in claim 19 above wherein the downloading unit is provided for every image-processing unit (Fig. 51 numeral 10 provided for both DSP 31a and DSP 31b).

Regarding claim 26, Yamamura discloses the apparatus as rejected in claim 19 above wherein the image-processing unit is a digital signal processor (Fig. 23 numeral 238).

Regarding claim 27, Yamamura discloses the apparatus as rejected in claim 19 above wherein the image-processing unit is an image-processing device (“...in consideration of applying the processor system to the image processing apparatus...” at column 17 line 9).

Regarding claim 30, Yamamura discloses the computer program for realizing the method as rejected in claim 1 (“...describes the operations of the host programs in the CPU, and particularly, the software configuration...” at column 17 line 56).

Regarding claim 31, Yamamura discloses the computer program for realizing functions of each unit of an apparatus for controlling image processing on a computer (“The ROM 20 stores “programs” and parameters required for processing the programs...” at column 8 line 23).

Regarding claim 32, Yamamura discloses a computer-readable recording medium that stores a computer program for realizing a method of controlling image processing on a computer (“The CPU further comprises a ROM coupled to the CPU, for storing programs corresponding to a plurality of processes respectively...” at column 5 line 2).

Regarding claim 33, Yamamura discloses the computer readable medium (“ROM”) as rejected in claim 31 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 20, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toshimi Yamamura (US 6981134 B2) in combination with Masahito Yamazaki (US 6785727 B1).

Regarding claim 20, Yamamura discloses the apparatus as described in claim 19 rejection above, wherein the request managing unit receives requests for setting parameters for image processing (“When the control management 232 receives a response from the operation-to-program converting device 233, the control management 232 controls the resource generating/setting device 235 to generate resources” at column 18 line 13), requests for executing the image processing (“The resource acquisition device 236 compares it to the past resource group that device 236 has downloaded to determine whether it is possible to get the resource X, and then returns a result to the control management 232...” at column 18 line 23), and transmits one of the requests to other units (“If the acquisition result is OK, the control

management 232 asks the download device 237 to perform a download request..." at column 18 line 27).

However, Yamamura fails to teach the apparatus' management unit receiving a request for ending the image processing, and canceling the image processing.

Yamazaki discloses, in the same field of endeavor of controlling image processing performed by an image processing apparatus wherein the "request managing unit" receives a request to end the image processing ("When the I/F driver 1116 serving as an input unit 18 receives any data from the host computer 2000 (s1301), the logical channel controller 1108 (request managing unit of this invention) and job preprocessor 1110 successively analyze the commands received..." at column 18 line 27 "...the logic channel controller 1108 checks whether an analyzed command is a job end packet..." at column 18 line 32) and a request to cancel image processing ("When a user applies a job control (cancel, suspension...) to a certain job...A job control command corresponding to the selected job control is generated by the utility 1105, job packeted by the logic channel controller 1106...and transmitted to the image processor 1000" at column 22 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the end and cancel request sent to the logic channel controller of Yamazaki to the requests received by the request management unit of Yamamura in order for the processor of Yamamura to realize these processes. If the requests are not received, the processes will not be realized and carried out by the processor.

Regarding claim 28, Yamamura teaches the apparatus as rejected in claim 27 above.

However, Yamamura fails to teach the image-processing device including a scanner or a printer.

Yamazaki teaches, in the same field of endeavor, an image-processing device including a printer ("Fig. 1 is a longitudinal sectional view showing an internal configuration of a laser-beam printer as an example of an image processor to which the present invention can be applied..." at column 2 line 24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the printer as taught by Yamazaki included in the image processing device to create a hardcopy of an output image after processing because hard copies are portable and easily annotated.

Regarding claim 29, Yamamura teaches the apparatus for controlling image processing as rejected in claim 28 above wherein the printer is an image forming unit that forms an image on a recording medium based on image information that is processed by the image processing control apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jmares Washington whose telephone number is (571) 270-1585. The examiner can normally be reached on Monday thru Friday: 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on (571) 272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jamare Washington
Assistant Examiner
Art Unit 2609

JW

02/02/07



BRIAN WERNER
SUPERVISORY PATENT EXAMINER